

Nov 17 10 03:25p eps

(505) 747-3514

p. 2

SUPERINTENDENT

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PUBLIC SCHOOL DISTRICT #55



Reaching for Excellence

BOARD OF EDUCATION

Joann V. Salazar, President

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November 17, 2010

Mr. Timothy Jones and Mrs. Cecilia Jones

c/o Shannon L. Kennedy, Esq.

Kennedy Law Firm

1000 2nd Street, NW

Albuquerque, NM 87102

Via facsimile: (505) 244-1406

Re: Española Public Schools/Billy J. – Decision of the Board of Education

Dear Mr. and Mrs. Jones:

Based on the Board's review of the record of the disciplinary hearing officer, the objections and issues raised by the student by and through counsel in the student's request for Board review (appeal), and the Superintendent's decision to expel Billy for the remainder of the 2010-2011 school year for the policy violation that occurred on September 7, 2010, the Board hereby provides notice of its *decision to uphold the Superintendent's decision to expel Billy Jones for the remainder of the 2010-2011 school year.*

The Board was informed and understands that Billy withdrew from the Española Public Schools on November 15, 2010, *after* requesting the Board to review the record regarding his expulsion, *after* the Board convened to conduct the record review, *after* appropriate notice had been published to convene a Board meeting to take action regarding the disciplinary record review pursuant to the New Mexico Open Meetings Act, and while the decision of the Board was pending. The Board completed the student's request for due process as was his right under New Mexico law, and hereby provides notice of its decision.

The Board further advises the student and his parents that it disagrees with the characterization in counsel's letter dated November 12, 2010, that "it [was] necessary to formally withdraw Billy from Española [Valley] High School" and that Billy is presently being evaluated "in light of his having been severely traumatized by the subject incident." While any policy violation that results in expulsion is unfortunate, the District specifically denies that Billy's trauma is a result of the events that occurred on or about September 7, 2010. This Board understands from its review of the record that should Billy choose to return to the Española Public Schools after the term of this expulsion, his reintegration back into the District will require a coordinated and collaborative process among all

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**PLAINTIFF'S
EXHIBIT**

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1

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p.3

interested stakeholders that balances and protects Billy's educational interests, as well as those of other students.

Sincerely,

A handwritten signature in black ink, appearing to read "Joann Salazar", with a stylized flourish at the end.

Joann Salazar

President of the Board of Education for the Española Public Schools

cc: Officers and members of the Board of Education for the Española Public Schools via hand delivery

Janette Archuleta, Superintendent, via hand delivery